

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

No. 1:19-CR-103

v.

Hon. Janet T. Neff
United States District Judge

JAMES VERNE RUSSELL,

Defendant.

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PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on June 1, 2020, Defendant James Verne Russell, pleaded guilty to Counts 12 and 13 of the Superseding Indictment, which charged him with sexual exploitation of a minor, in violation of 18 U.S.C. § 2251(a), (e);

WHEREAS, pursuant to his guilty plea, the Defendant has forfeited his interest in the following property, listed in the Forfeiture Allegation of the Superseding Indictment:

- a) MacBook Model #A1502 (Serial number C02LL5JQFH00);
- b) MacBook (Serial number W80485N8ATP);
- c) iPad Air, Model #A1566 (Serial number DMQP3GVTG5VW);
- d) WD External HDD My Passport (Serial number WXC1A82F9581);
- e) Apple iPhone X (Serial number 354843092081590);
- f) SanDisk 64 GB USB thumb drive;
- g) Memorex 128 GB USB thumb drive;

- h) Silver/Black USB thumb drive MASFPS;
- i) 1 GB Digital Film Flash memory card;
- j) PNY 16 GB SD card;
- k) Lexar 32 GB SD card;
- l) Transcend 32 GB SD card;
- m) 4 GB Digital Film Flash memory card;
- n) PQI 128 MB Compact Flash Card;
- o) 70 miscellaneous CD/DVDs;
- p) 11 miscellaneous pocket and/or mini CD/DVDs;
- q) 1 Floppy Disk; and
- r) 8 x 10 Print-out of nude juvenile

(the “Subject Property”);

WHEREAS, the Defendant admitted in his plea agreement that the Subject Property was involved and used in his criminal activity in violation of 18 U.S.C. § 2251(a) and is subject to forfeiture pursuant to 18 U.S.C. § 2253;

WHEREAS, based on Defendant’s guilty plea and plea agreement, this Court finds that the Subject Property was involved in and used in Defendant’s violation of 18 U.S.C. § 2251(a); and

WHEREAS, this Court finds that Defendant had an interest in the Subject Property, and that the Government has established the requisite nexus between the same and the violation of 18 U.S.C. § 2251(a).

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. § 2253, the Subject

Property is hereby forfeited to the United States of America.

IT IS FURTHER ORDERED that the Federal Bureau of Investigation and/or its designee seize the Subject Property and dispose of the same in accordance with applicable law and regulations.

IT IS FURTHER ORDERED that notice of this forfeiture shall be published in accordance with 21 U.S.C. § 853(n)(1).

IT IS FURTHER ORDERED that any third party wishing to assert an interest in the Subject Property must petition the Court in accordance with 21 U.S.C. § 853(n)(2) and (3).

IT IS FURTHER ORDERED that pursuant to Fed. R. Crim. P. 32.2(b)(4)(B), this Order of Forfeiture shall become final as to Defendant at the time of sentencing, and shall be made part of the sentence and included in the judgment.

Dated: June 16, 2020

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge